

REMARKS

As an initial matter, Applicants would like to thank Examiners Lund and Chandra for agreeing to interview the above-identified application with Applicants' undersigned counsel. The amendments and remarks set forth herein have been made based on agreements made during the Interview that transpired on October 2, 2009.

The Final Office Action mailed on June 9, 2009 has been carefully reviewed. From the Summary page, claims 4-12 were pending. Claims 5-7 and 9-12 are withdrawn from consideration. Claims 4 and 8 are rejected.

By this response, Applicants have canceled claims 8 and 10-12. Therefore, the obviousness rejection of claim 8 is moot. The rejection as to claim 4 is respectfully traversed.

At the Interview, an agreement was reached between Examiners Lund and Chandra, and Applicants' undersigned counsel, that the asserted combination of Okase, Shimazu '175, Takayasu and Kenichi does not teach or suggest the overall processing apparatus arrangement as present in claim 4. Specifically, Kenichi does not disclose Applicants' structure defining their vacuuming channel, or even their first flange located higher than the lower-end surface of the opening part and their second flange located lower than the upper-end surface of the inner lid part. As agreed, the obviousness rejection as to claim 4 must fail. Accordingly, reconsideration and withdrawal of the rejection are earnestly solicited by Applicants.

Rejoinder of Claim 5-7 and 9

Claims 5-7 and 9 were previously withdrawn from consideration as being directed to Species B in the Office Action mailed March 25, 2008. Specifically, Species B was "directed towards a thermal processing container comprising **a first flange** provided at an outside periphery of the opening part **located higher than the lower end surface of the opening part and a second flange located lower than the upper end surface of the inner lid part**" [EMPHASIS ADDED]. See pg. 2. The subject matter of claims 5-7 and 9, as repeated above, is fully consistent with the features in claim 4. This was suggested by Examiner Lund who recommended rejoinder with claim 4. For at least these reasons, Applicants respectfully submit that claims 5-7 and 9 be rejoined with claim 4 at the time of allowance of claim 4.

In view of the foregoing, Applicants kindly solicit that claims 4-7 and 9 stand in immediate condition for allowance.

CONCLUSION


All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Therefore it is respectfully requested that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a), and any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-4300, Attorney Docket No. 033082 M 320.

Respectfully submitted,

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